UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/551,886	10/04/2005	Peter Dam Neilsen	886A.0014.U1(US)	6802

29683   7590   01/12/2009
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EXAMINER
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ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
01/12/2009	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Advisory Action ***Before the Filing of an Appeal Brief***	10/551,886	NEILSEN, PETER DAM
	Examiner	**Art Unit**	
	EMEM STEPHEN	2617	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED <u>03 November 2008</u> FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:

   a) ☒ The period for reply expires <u>3</u> months from the mailing date of the final rejection.

   b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

<u>NOTICE OF APPEAL</u>

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

<u>AMENDMENTS</u>

3. ☒ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will <u>not</u> be entered because

   (a)☒ They raise new issues that would require further consideration and/or search (see NOTE below);

   (b)☐ They raise the issue of new matter (see NOTE below);

   (c)☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or

   (d)☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: *See Continuation Sheet*. (See 37 CFR 1.116 and 41.33(a)).

4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).

5. ☐ Applicant's reply has overcome the following rejection(s): _____.

6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).

7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

   The status of the claim(s) is (or will be) as follows:

   Claim(s) allowed: _____.

   Claim(s) objected to: _____.

   Claim(s) rejected: _____.

   Claim(s) withdrawn from consideration: _____.

<u>AFFIDAVIT OR OTHER EVIDENCE</u>

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will <u>not</u> be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).

9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will <u>not</u> be entered because the affidavit or other evidence failed to overcome <u>all</u> rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).

10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

<u>REQUEST FOR RECONSIDERATION/OTHER</u>

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: <u>See Continuation Sheet.</u>

12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____

13. ☐ Other: _____.

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617

Continuation of 3. NOTE: The Applicant's amendment to claims 1, 10, and 15, I.e., and in operating a mobile communications device requires more search to determine novelty.

 Continuation of 11. does NOT place the application in condition for allowance because: The Applicant's argument that neither Ketola nor Marshall et al. discloses "determining if there is correspondence" between the telephone number of the caller
and "an identifier associated with the application at the time of the application start
event and relating to a device or resource address, a sub-routine or a device
setting" are not persuasive for the reasons below.
Ketola discloses "Identifier means that identifies the caller number from the call that comes into the device, characterized in that there is a functional connection between the identification means and the memory unit, the identification means are arranged to transfer the information referring to the number of the caller of an unanswered call into the memory unit on the basis of a first response when the call is not answered and reminding the user of the unanswered call at a later time (pars. 6-7, and 28). By reminding, it is meant that there is a note (reminder text) of the matter to the reminded (pars. 3 and 9-10). Ketola further discloses A-subscriber identification 26 and that from the caller line identification 26, the telephone number of the caller can be found out by the caller line identification function of the unit that controls the device, on the basis of which the caller can be identified. The Identifier means is included in the reminder, therefore, Ketola disclose identifier forming part of the reminder item.
 Ketola then discloses where the identifying of the telephone number of the caller of an incoming call does not succeed, the user may set the device not to remind of an unanswered call in these kinds of situations (par. 32)".
Marshall discloses the present invention enables a network (e.g., cell phone it computer network) to be programmable (pars. 31-34). Therefore, Marshall refers to mobile communication device. Marshall discloses Software applications generally have requirements on certain resources in their target environment. Typically, applications themselves may be required to retrieve these resources directly when they are executed. "the applications must access different facilities to retrieve each of the resources which it requires. This requires the application to know the details of how a resource is provided, making it difficult to provide the resource in a different, but functionally equivalent way. A resource, for example, may include anything which may be needed for a service to execute successfully, such as a database, network addresses, switches, hardware, software, control logic and other components (pars 2-3). When a resource is defined, the resource may be assigned a unique specifier which may include a resource ID, type ID, version ID and/or other identifier. This information may be stored in a centralized repository, preventing redundant definitions of similar resources, or conflicting use of the same resource ID. Software or other applications may request (or require) access to a resource from a resource manager, regardless of resource type, retrieval mechanism or location (pars. 16, and 38-40). Software is enabled to connect to requested (or required) resources regardless of location by resolving an abstract resource ID, type ID, and version ID (par. 18). The resource manager of the present invention may serve to tie together various aspects of static resource management and dynamic resource management (par.46). resource management functionality which may include the ability to designate a globally unique identifier for a resource, use a resource identifier to determine whether a resource is present, use a resource identifier to retrieve a resource, store a resource along with its identifier for later retrieval, record the dependencies of a resource along with the information on the nature of the dependency, verify that the dependencies of a resource are satisfied (pars. 56, and 88-92) Therefore, Marshall discloses an identifier associated with the application at the time of the application start event and relating to a device. Therefore, the combination discloses the argued limitation above, therefore the rejections are maintained.